

April 20, 2023

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: Thursday, April 20, 2023

Anticipated Litigation Negotiations

NAME OF ACTION:

Claim of Seema Rupani

Claim No. C35008

This matter is listed as **Item No. 2** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$57,957.00**.

This case arose out of an incident occurring on **September 1, 2020**.

FACTS/ISSUES:

Beginning September 1, 2020, storm water flowed into the residence of Seema Rupani (“Rupani”) at 2100 24th Avenue in Oakland. Rupani alleges that a City storm drain inlet failed which caused storm water to flow into Rupani’s property, causing damages.

Rupani filed a government tort claim to seek reimbursement of their damages. The alleged economic damages total approximately \$57,957.00 which includes the cost of remediating the damage to the basement, encapsulating the basement floors and lower walls with plastic wrapping and installing a pump system to remove standing water and moisture vapor in the basement when the intersection floods.

The approved settlement resolves all claims with Rupani in this matter without litigation.

Motion Made by: **Councilmember Kalb**

Motion Seconded by: **Councilmember Jenkins**

AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas=7

NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =

ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =1

ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =